

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY and ALLSTATE
INDEMNITY COMPANY,

Plaintiffs,

vs.

PETER MARIO BALLE, D.C. et al.,

Defendants.

2:10-cv-02205-APG-NJK

ORDER DENYING DEFENDANTS'
MOTION TO QUASH OR
ALTERNATIVELY, MOTION FOR
PROTECTIVE ORDER

Pending before the Court is Defendants' Motion to Quash or Alternatively, Motion for Protective Order. Docket No. 456. The Court does not require a response from Plaintiffs. The Court finds this motion appropriately resolved without oral argument. *See* Local Rule 78-2.

The motion concerns issues relating to a subpoena issued to Plaintiffs by the Chiropractic Physicians' Board of Nevada. Docket No. 456-2 at 3-6. The subpoena was issued pursuant to Nev.Rev.Stat.Ann. § 634.196, and was not issued by this Court. Docket No. 456, at 3; Docket No. 456-2. As this Court has stated in a prior Order, this Court has no authority over either the subpoena or the Board. Docket No. 454, at 1. Further, the motion clearly establishes that the Nevada District Court, and not federal court, is the appropriate venue for seeking remedies regarding the subpoena. Docket No. 456, at 6.¹

¹Although Defendants ask this Court to transfer their motion to the Nevada District Court, pursuant to Fed.R.Civ.P. 45(f), Defendants have failed to show that Rule 45(f) allows transfer

1 Based on the foregoing, and good cause appearing therefore,

2 IT IS HEREBY ORDERED that Defendants' Motion to Quash or Alternatively, Motion for
3 Protective Order, Docket No. 456, is **DENIED**.

4 DATED this 18th day of March, 2014.

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8 NANCY J. KOPPE
United States Magistrate Judge
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26 between federal and state court. Defendants did not provide, and the Court could not locate, any
27 cases that transferred motions from federal to state court. Rather, the only cases the Court could find
28 dealt with transferring motions between federal district courts, pursuant to Fed.R.Civ.P. 45(f). *See*,
e.g., *Garden City Employees' Retirement System v. Psychiatric Solutions, Inc.*, 2014 WL 272088
(E.D.Pa. January 24, 2014); *F.D.I.C. v. Axis Reinsurance Co.*, 2014 WL 260586 (S.D.N.Y., January
23, 2014).